



COPY OF PART
ORIGINALLY FILED

3736/14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Richard A. Terwilliger; Gary A. Lamoureux

SC/Serial No.: 10/035,083

Confirm. No.: 3945

Filed: December 28, 2001

Title: DELIVERY SYSTEM AND METHOD FOR
INTERSTITIAL RADIATION THERAPY

PATENT APPLICATION

Art Unit: 3736

Examiner:

Customer No. 23910

RECEIVED
MAY 15 2002
TC 3700 MAIL ROOM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Washington, DC 20231**, on April 26, 2002.

(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660

Signature Date: April 26, 2002

TRANSMITTAL LETTER

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- ☒ A Second Preliminary Amendment
- ☐ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- ☐ A Statement pursuant to 37 C.F.R. §1.27 to establish small entity status under 37 C.F.R. §1.9(f).
- ☐ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

RECEIVED
MAY 13 2002
TC 3700 MAIL ROOM

The fee associated with this communication has been calculated as shown below:

- _____ No fee is required with this communication.
- ✓ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established.
- _____ A fee for extension of time for response under 37 C.F.R. §1.136 filed within _ month(s) after the original time for response of \$___ is due.
- _____ A fee of \$180.00 is due for the submission of the accompanying Information Disclosure Statement.
- ✓ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

Claims Remaining After Amendment	Highest Previously Paid For	Number Extra	Rate Small Entity/ Other Than Small Entity		
Total			\$ 9.00		
Claims <u>91</u>	- <u>78</u>	= <u>13</u> * X	\$18.00	=	\$ 117.00
Independent			\$42.00		
Claims <u>10</u>	- <u>10</u>	= <u>0</u> * X	\$84.00	=	\$ -0-
First Presentation of			\$140.00		
Multiple Dependent Claim(s) __			\$280.00	=	\$

*If the difference is less than zero, enter "0".

Additional Fee = \$ 117.00

The total fee required with this communication is \$ 117.00 and is to be paid as follows:

- _____ Please charge Deposit Account No. 06-1325 in the amount of \$_____. A duplicate copy of this authorization is enclosed.
- ✓ A check in the amount of \$ 117.00 is enclosed.

✓ The Commissioner is hereby authorized to charge underpayment of any fees, including the following fees, associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

✓ Any filing fees under 37 C.F.R. §1.16 for the presentation of additional claims.

✓ Any patent application processing fees under 37 C.F.R. §1.17 including any applicable fee for extension of time.

Respectfully submitted,

Date: 4/22/02

By: 

Sheldon R. Meyer
Reg. No. 27,660

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800



COPIES OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Richard A. Terwilliger; Gary A. Lamoureux

SC/Serial No.: 10/035,083

Confirm. No.: 3945

Filed: December 28, 2001

Title: **DELIVERY SYSTEM AND METHOD FOR
INTERSTITIAL RADIATION THERAPY**

PATENT APPLICATION

Art Unit: 3736

Examiner:

Customer No. 23910

RECEIVED
MAY 15 2002
TC 3700 MAIL ROOM

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Washington, DC 20231**, on April 26, 2002.

Sheldon R. Meyer, Reg. No. 27,660
Signature Date: April 26, 2002

(Attorney Signature)

SECOND PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, DC 20231

Sir:

Prior to examination on the merits, please amend the above-identified application as follows:

In the Claims:

Please add the new claims as shown below. Please enter the amendments set out below. All pending claims are included below, including those that remain unchanged. Marked up copies of the amended claims illustrating the changes are shown in the Appendix to this Response.

05/10/2002 ZJUHR1 00000014 10035083

01 FC:203

117.00 0P

RECEIVED
MAY 13 2002
TC 3700 MAIL ROOM